

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kinkade et al.

Serial No. 09/831,123

Filed: May 4, 2001

For: BIOMARKERS FOR OXIDATIVE STRESS



Group: not assigned

Examiner: not assigned

**NOTIFICATION OF PATENT OFFICE ERROR  
IN INTERNATIONAL APPLICATION NUMBER ON FORM PCT/DO/EO/905**Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Applicants hereby notify the United States Patent and Trademark Office of an error in the International Application Number on the PCT/DO/EO/905 form.

The **correct International Application Number** is PCT/US99/26133 not PCT/US00/06133.

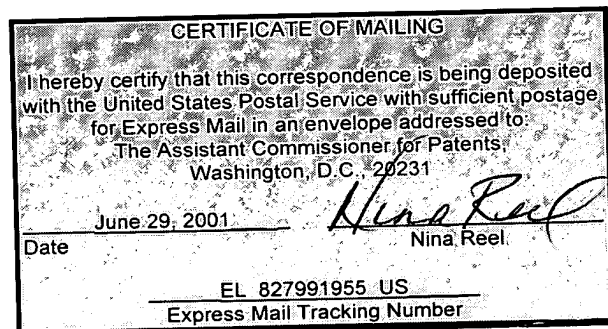
The correct International Application Number was submitted with the Applicants' Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371; a photocopy of this transmittal letter is enclosed. Also included is a copy of the front page of the published application showing the correct International Application Number.

Please correct the International Application Number and send confirmation of the revision to the undersigned. The need for correction is not due to any error by Applicants and it is believed that no fee is due. If this is incorrect, however, please charge any requisite fees to Deposit Account No. 07-1969.

Respectfully submitted,

Susan K. Dougherty  
Reg. No. 45,495

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Attorney Docket No. 68-97  
nnr: June 29, 2001

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

68-97

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.

PCT/US99/26133

INTERNATIONAL FILING DATE

05.11.99

PRIORITY DATE CLAIMED

06.11.98

TITLE OF INVENTION

Biomarkers for Oxidative Stress

APPLICANT(S) FOR DO/EO/US Joseph M. Kinkade, Jr., Raymond Shapira, Peter E. Jensen  
Ngoc-Anh Le, Jan Pohl, and W. Virgil Brown

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
- a. ☐ is attached hereto (required only if not communicated by the International Bureau).
- b. ☒ has been communicated by the International Bureau.
- c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
- a. ☐ is attached hereto.
- b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- a. ☐ are attached hereto (required only if not communicated by the International Bureau).
- b. ☐ have been communicated by the International Bureau.
- c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
- d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Certificate of Mailing by Express Mail

21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$1000.00International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

\$ 690.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	81 - 20 =	61	x \$18.00	\$ 1,098.00
Independent claims	17 - 3 =	14	x \$80.00	\$ 1,120.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$

TOTAL OF ABOVE CALCULATIONS =

\$ 3,038.00

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

SUBTOTAL =

\$ 1,519.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

TOTAL NATIONAL FEE =

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

TOTAL FEES ENCLOSED =

\$ 1,519.00

Amount to be  
refunded:

\$

charged:

\$

a. ☒ A check in the amount of \$ \$1,519.00 to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 07/1969. A duplicate copy of this sheet is enclosed.d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card  
information should not be included on this form. Provide credit card information and authorization on PTO-2038.NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR  
1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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*Susan K. Doughty*

SIGNATURE

Susan K. Doughty

NAME

43,595

REGISTRATION NUMBER

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Kinkade et al.

Docket No.

68-97

Serial No.

not assigned

Filing Date

5/4/01

Examiner

not assigned

Group Art Unit

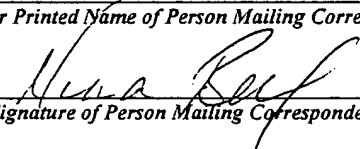
not assigned

Invention:

Biomarkers for Oxidative Stress

**COPY**I hereby certify that this Transmittal Letter to the United States - Concerning a Filing Under 35 U.S.C. 371*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on May 4, 2001*(Date)*Nina Reel*(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)*EL 652993705 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**